IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16856 of 2004

Between:

Prayaga Sarvamangala S/o.Sivudu Ramaiah, occ: Grade I Telugu Pandit
O/o. Vasantha Bala Vidyodaya High School (Aided),

T.P.T. Colony, Visakhapatnam, Visakhapatnam District.

..... PETITIONER

AND

1 The Government of Andhra Pradesh Rep. by its Secretary, Education Dept. Secretariat, Hyderabad.
2 The Commissioner and Director of School Education, Andhra Pradesh,

Hyderabad.
3 The District Educational Officer, Visakhapatnam District.
4 The Correspondent, Vasantha Bala Vidyodaya High School (Aided), T.P.T.

Colony, Visakhapatnam, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of mandamus declaring that the petitioner is entitled for up gradation to the post of Grade I Pandit Scale in terms of G.O.Ms.No.330 Education dated 10.8.1983 R/W G.O.Rt No.644 Education dated 7.12.2000 by extending the benefit of Judgment dated 12.9.2003 in W.P.No.26260/2000 and batch of the Division Bench of this Hon'ble High Court, by holding the action of the respondents in not granting Grade I Pandit Scale to the petitioner on par with similarly situated grade II langauge Pandits in terms of the aforesaid G.Os is as illegal, arbitrary, discriminatory and subversive of Articles and 14 and 16 and 39 (d) of Constitution of India.

Counsel for the Petitioner: MR.CH.JAGANNADHA RAO

Counsel for the Respondents No.1 to 3: GP FOR EDUCATION

The Court at the stage of admission made the following :

ORDER:

The petitioner claims that he is presently working as Grade I Telugu Pandit. He contends that he acquired the required qualification for Grade-I Telugu Pandit, even by the date of his initial appointment as per the terms of G.O.Ms. No.330, Education, dated 10-8-1983 r/w G.O.Rt 644, Education dated 7-12-2000 and also by extending the benefit of the judgment of a Division Bench of this Court, dated 12-9-2003 in W.P.No. 26260 of 2000 and Batch.

The petitioner did not mention in the petition whether he made any representation to the concerned authorities to extend the benefit of Grade-1 scale to him. He directly approached this Court seeking the above relief. If the petitioner makes a representation requesting the concerned authorities to extend the benefit and if they deny the said benefit by passing any order, then only it would be appropriate for the petitioner to come to the Court, questioning the legality of the said order. Since, there was no adverse order from the respondents till now, the petitioner is directed to make a representation to the respondents regarding his claim for Grade-I Pandit scale from the date he acquired the qualification of Grade-I Telugu Pandit.

On making such a representation, the respondents 1 to 3 shall consider the representation of the petitioner whether he is having the requisite qualification to hold the post of Grade-I Telugu Pandit prior to his promotion as Grade-I Telugu Pandit, if so to examine whether he is entitled to the benefit under G.O.Ms. No. 330 Education, dated 10-8-1983 and G.O.Rt.No. 644, dated 7-12-2000 and pass appropriate orders by keeping in view of the judgment of a Division Bench of this Court, dated 12-9-2003 in W.P.No.26260 of 2000 within two months from the date of receipt of representation from the petitioner.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dr. G.Yethirajulu, J.

20th September, 2004.

KM

SPECIAL OFFICER

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Government of Andhra Pradesh, Education Department, Secretariat, Hyderabad.
2 The Commissioner and Director of School Education Andhra Pradesh,

Hyderabad.
3 The District Educational Officer Visakhapatnam District.
4 The Correspondent, Vasantha Bala Vidyodaya High School (Aided, T.P.T.

Colony Visakhapatnam, Visakhapatnam District..

5. 2CCs to G.P. for Education, High Court of A.P., Hyderabad (OUT)

6.. 2CD copies

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

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WRIT PETITION NO : 16856 of 2004

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20th September, 2004/